

## **REMARKS**

Applicants respectfully request reconsideration of the present application by way of this response. New claim 21 has been added by way of this response. Claims 1-21 are currently pending in the present application and claims 1 and 21 are independent claims.

## **ALLOWABLE SUBJECT MATTER**

Applicants acknowledge and thank the Examiner for the indication of allowable subject matter contained in claims 2-20.

## **PRIORITY DOCUMENTS**

Applicants acknowledge and thank the Examiner for the acknowledgement of priority under 35 U.S.C. § 119, and further thank the Examiner for the acknowledgement of the receipt of all the necessary priority documents in this National Stage application from the International Bureau, as shown in the Office Action Summary mailed June 8, 2004.

## **INFORMATION DISCLOSURE STATEMENT**

Applicants acknowledge and thank the Examiner for the consideration of the references cited in the Information Disclosure Statements filed October 23, 2001, as indicated by the Examiner's initials and signature on the form PTO-1449.

## **DRAWINGS**

Applicants acknowledge and thank the Examiner for the indication of acceptance of the drawings filed on October 23, 2001, as shown on the Office Action Summary dated June 8, 2004.

## **PREFERRED EMBODIMENTS OF THE PRESENT INVENTION**

With regard to FIG. 1, preferred embodiments of the switching gas damper 1 may be arranged as an attachment above the arcing chambers 6, 7, and 8. The switching gas damper may include an enclosure with a front wall 10, a rear wall 11 and a cover 9. The cover may be closed and a bottom 14, which may include inlet openings, may receive gas flows from arcing chambers 6, 7, and 8 in the circuit breaker 1. The inlet openings may include outlet channels 17 and 21, which may be formed by the channel walls 16 and 20 and/or the deflection elements 15 and 19. The inlet openings may dissipate the gas flows at the sides. Thus, the gas flows may be dissipated laterally.

## **PRIOR ART REJECTIONS**

### ***Claim Rejections under 35 U.S.C. § 102(b)***

Claim 1 stands rejected under 35 U.S.C. §102(b) as allegedly being anticipated by Heft et al. (U.S. Patent No. 3,621,169, hereinafter referred to as "Heft"). Applicants respectfully traverse this rejection.

### ***Heft***

With regard to FIG. 1, Heft teaches a circuit interrupter including an arc portion 10 and an enclosure 40. With regard to FIG. 3, a flame and noise muffle, which includes a rectangular box-like enclosure 40 is disclosed. The enclosure 40 includes sidewalls 41 and 42, and is divided into three compartments 45, 46, and 47, by intermediate barrier walls 43 and 44. Each compartment 45, 46, and 47 includes five serially connected portions, a precooler 51, a diffusion means 52, a first cooler portion 53, a diffusion chamber 54, and a cooler chamber 55. Enclosure 40 further includes an integral end wall 65, having a plurality of rectangular apertures 66. Arc-gas flows from the arc portion 10 into the enclosure 40, through the serial connected portions 51-55, and is subsequently output through the rectangular apertures 66.

### ***Claim Distinctions***

Applicants respectfully assert the Heft does not teach or suggest a switching gas damper including at least an outlet channel, which dissipates switching gas flows “at the sides”, of the enclosure, as claimed in claim 1. In contrast, Heft discloses a circuit interrupter, which includes an enclosure 40 for the cooling of arc-gas through a plurality of serial connected portions 51-55. The cooled arc-gas is then output through the integral end wall 65 of the enclosure 40. Accordingly, Applicants respectfully assert that Heft fails to teach or suggest all of the limitations as recited in claim 1.

As such, Applicants respectfully request that this rejection be withdrawn.

### ***NEW CLAIMS***

Applicants have added new claim 21 by the present amendment, which is also believed to be patentable over the prior art. Further, Applicants submit that the prior art cited by the Examiner does not teach or suggest a switching gas damper wherein the “switching gas flows are discharged laterally”, as recited in claim 21. Although somewhat similar arguments to those emphasized above with regard to claim 1 may apply, claim 21 should be governed solely by the limitations present therein and should not be limited in any way by limitations or arguments set forth in other independent claims. Accordingly, allowance of new claim 21 is respectfully requested.

### ***OTHER ART***

With regard to the art cited in the Office Action but not relied upon in the outstanding rejection, Applicants respectfully submit that even by a cursory review of the cited references, none of the references, either alone or in combination, teach or suggest all of the limitations as recited in independent claims 1 or 21.

## **CONCLUSION**

In view of above remarks, reconsideration of the outstanding rejection and allowance of the pending claims is respectfully requested.

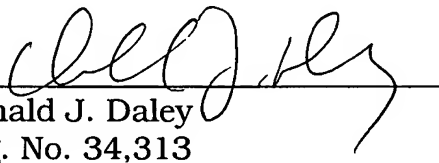
If the Examiner believes that personal communication will expedite prosecution of this application, the Examiner is invited to telephone Andrew M. Waxman, Reg. No. 56,007, at the number of the undersigned listed below.

Pursuant to 37 C.F.R. 1.17 and 1.136(a), the Applicants respectfully petition for a one (1) month extension of time for filing a response in connection with the present application, and the required fee of \$110.00 is attached.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies to charge payment or credit any overpayment to Deposit Account No. 08-0750 for any additional fees required under 37 C.F.R. §§ 1.16 or 1.17; particularly, extension of time fees.

Respectfully submitted,

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